

June 3 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0060

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

BARRY K. HOLT,

Defendant and Appellant.

FILED

JUN 03 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

COMES NOW, Eileen A. Larkin, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until July 5, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's first extension request for the opening brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 3rd day of June, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
139 N. Last Chance Gulch
P.O. Box 200145
Helena, MT 59620-0145

By: *Eileen A. Larkin*
EILEEN A. LARKIN
Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: _____

6/3/10 